THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 16844 of 2005

DATED : 21..09..2005.

BETWEEN:

K. Apparao, S/o. Kotaiah, aged 45 years,

Resident of Seervan Uppalapadu (V),

Nagula Uppalapadu (M), Prakasam District

And 6 others …Petitioners

And

Assistant Commissioner, Endowments Department,

Ongole, Prakasam District and another

…Respondents

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 16844 of 2005

ORDER:

Seeking to declare the action of the respondents in notifying the auction of the leasehold rights to be conducted on 30-07-2005 in respect of the lands of the

petitioners, as illegal and arbitrary, the present writ petitioner has been filed.

Heard the learned counsel for the petitioners and the learned government pleader for the respondents.

The claim of the writ petitioner is that he made an application to the 1st respondent to declare him as a small farmer within the meaning of Section 82 of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 and that issue has not been decided so far. Appropriate decision has to be taken by the Assistant Commissioner of Endowments Department (1st respondent) in accordance with law.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition by directing the first respondent to take appropriate decision if the application of the petitioner is pending with him. If the application is not pending, the petitioner is at liberty to file a fresh application and the same shall have to be disposed of in accordance with law. No order as to costs.

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K.C.BHANU, J.

Dated: 21..09..2005.

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